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4th Assembly District
Suffolk County

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March 27, 2003

Honorable Donald L. Evans
Secretary of Commerce
Herbert C. Hoover Building
14th Street and Constitution Avenue NW
Washington, DC 20230

Dear Mr. Secretary:

It has recently been brought to my attention that the Islander East Pipeline Company is appealing to the Department of Commerce, seeking to overturn the State of Connecticut's denial of a permit needed for the construction of their interstate pipeline as currently proposed. The Connecticut Department of Environmental Protection claims that Islander East's proposed pipeline routing does not comply with Connecticut's federally-approved Coastal Zone Management Program, created to protect the Long Island Sound, and that it's routing can be realigned to meet the standards of the Management Program.

As an elected official from New York, I can not comment on the State of Connecticut's claims, but I am concerned about environmental impacts to Long Island Sound. The Sound is a national treasure and a great asset for New York State and any interstate pipeline constructed should comply with both federal and state laws designed to protect this valuable resource.

While this letter offers no comment concerning the Connecticut DEP's determination of environmental threats to LI Sound, it is my understanding that Islander East has yet to solve all routing problems in New York. Specifically, a portion of the pipeline that traverses the New York State Pine Barrens Preserve, specifically the Calverton Lateral portion of their pipe. The Calverton Lateral as proposed along Route 25 would destroy acres upon acres of the Core Preservation Area of the Central Pine Barrens Preserve, whereas a Route 25A alignment would not. Many interested parties have tried to work with Islander East to find a solution to their routing problems on Long Island, but Islander East simply refuses to address concerns about the Calverton Lateral.

U DISTRICT OFFICE: 140 Main Street, East Setauket, New York 11733, (631) 751-3094
U ALBANY OFFICE: Room 624, Legislative Office Building, Albany, New York 12240, (518) 455-4804
email: engles@assembly.state.ny.us

The Long Island Sound and the Long Island Pine Barrens are irreplaceable natural treasures and vital to our region's economy. The Islander East pipeline will serve as an important source of natural gas supplies for Long Island, but this project must be built in compliance with sensible conservation measures and laws already in place, be it in Connecticut or in New York. Until Islander East meets its obligations in both New York and Connecticut, I ask that the Department of Commerce reserve judgement on the State of Connecticut's permit denial.

Sincerely,

A handwritten signature in black ink, reading "Steven Englebright". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Steven Englebright
Member of Assembly



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

APR 29 2003

The Honorable Steven Englebright
New York State Assembly
Albany, New York 12248

Dear Assemblyman Englebright:

Thank you for your letter to Secretary Evans concerning the Islander East Pipeline Company's administrative appeal filed under the Coastal Zone Management Act (CZMA) and currently pending before the Department of Commerce. The National Oceanic and Atmospheric Administration (NOAA) processes many aspects of CZMA appeals for the Secretary of Commerce, and therefore was asked to respond to your correspondence.

Islander East's appeal, as noted in your letter, is taken from an objection raised by the State of Connecticut. In deciding the appeal, the Secretary generally must consider the proposed project's effects on land or water uses or natural resources of Connecticut's coastal zone. Your letter expresses concerns regarding the Calverton Lateral, a portion of the pipeline to be located on Long Island, New York, but does not indicate how this segment might affect Connecticut's coastal zone resources. To the extent the Calverton Lateral affects New York's coastal resources, we understand that the New York Department of State has issued a general CZMA concurrence for the pipeline project.

Please be assured that all information contained in the appeal record that relates to issues the Secretary considers in deciding the appeal will be carefully reviewed. Your letter will be included in the administrative record for the Islander East appeal. Further, we welcome any additional submissions that you or your constituents believe are relevant to the Secretary's decision. Information about the appeal, including the deadline for public comment and the stay in the appeal's proceedings, can be found at the Department's CZMA appeals website www.ogc.doc.gov/czma.htm.

Thank you again for writing on this important matter.

Sincerely,

James R. Walpole
General Counsel

